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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 JIMMY LEE NELSON,
11 Petitioner,
12 vs.
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3:06-cv-00129-LRH-VPC

14 ATTORNEY GENERAL , *et al.*,
15 Respondents.

ORDER

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17 The petitioner's application (#41) for a certificate of appealability (COA) in this represented
18 habeas matter under 28 U.S.C. § 2254 is GRANTED, out of an abundance of caution. While the court
19 remains of the view that the dismissal of the petition as time-barred without an evidentiary hearing was
20 and remains the correct disposition of the case, jurists of reason potentially could find the matter
21 debatable as to whether the court was correct in its procedural ruling.

22 DATED this 7th day of April, 2008.



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25 LARRY R. HICKS
26 UNITED STATES DISTRICT JUDGE
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